

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Holding a Criminal Term

Grand Jury Sworn in on March 16, 2023

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-CR-626
	:	
v.	:	VIOLATIONS:
	:	18 U.S.C. §§ 1512(c)(2),
DEREK COOPER GUNBY,	:	(Obstruction of an Official Proceeding)
	:	18 U.S.C. § 1752(a)(1)
Defendant.	:	(Entering and Remaining in a Restricted
	:	Building or Grounds)
	:	18 U.S.C. § 1752(a)(2)
	:	(Disorderly and Disruptive Conduct in a
	:	Restricted Building or Grounds)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Disorderly Conduct in
	:	a Capitol Building)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in
	:	a Capitol Building)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia and elsewhere, **DEREK COOPER GUNBY** attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, specifically, Congress's certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

(Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA Holding a Criminal Term Grand Jury Sworn in on March 16, 2023 UNITED STATES OF AMERICA V. DEREK COOPER GUNBY, Defendant. The Grand Jury charges that: CRIMINAL NO. 21-CR-626: VIOLATIONS: 18 U.S.C. §§ 1512(c)(2), (Obstruction of an Official Proceeding) 18 U.S.C. § 1752(a)(1): **COUNT TWO** (Entering and Remaining in a Restricted Building or Grounds): 18 U.S.C. § 1752(a)(2): (Disorderly and Disruptive Conduct in a Restricted Building or Grounds) 40 U.S.C. § 5104(e)(2)(D) (Disorderly Conduct in a Capitol Building) 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building) INDICTMENT COUNT ONE On or about January 6, 2021, within the District of Columbia and elsewhere, DEREK COOPER GUNBY attempted to, and did, corruptly obstruct, influence, and

On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY did knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President was and would be temporarily visiting, without lawful authority to do so.

DEREK COOPER GUNBY did knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President was and would be temporarily visiting, without lawful authority to do so. (Entering and Remaining in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(1)) **COUNT THREE** (Entering and Remaining in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(1))

DEREK COOPER GUNBY did knowingly and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President was and would be temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions. (Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2)) **COUNT FOUR** On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol

On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President was and would be temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

Buildings, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress. 2 (Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(D)) **COUNT FIVE** On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building, (Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G)) Mauthur M. Graves (n/jc Attorney of the United States in and for the District of Columbia, A TRUE BILL: FOREPERSON. 3

On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

(Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT FOUR

On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

(Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(D))


COUNT FIVE

On or about January 6, 2021, in the District of Columbia, **DEREK COOPER GUNBY** willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

(Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G))

A TRUE BILL:

FOREPERSON.


Attorney of the United States in
and for the District of Columbia.